

REMARKS

In the first Office Action mailed on 04/13/2004 the Examiner made a nonstatutory double patenting rejection of claims 21-44, which are all of the pending claims in this continuation application, over U.S. 6,299,996 (the parent application). Claims 21-44 were added in a preliminary amendment filed with this continuation application, and originally filed claims 1-20 were cancelled without prejudice. In response to the nonstatutory double patenting rejection of claims 21-44 a Terminal Disclaimer and fee were filed on 06/23/2004. The Terminal Disclaimer was signed by the attorney of record.

However, and as the undersigned attorney explained to the Examiner during a teleconference held earlier today, the most recent Office Action (mailed 11/22/2004) is a prior art rejection of the previously cancelled claims 1-20 under 35 U.S.C. 102(b) as being anticipated by Hicks.

Even if claims 1-20 had not been previously cancelled, the rejection under 35 U.S.C. 102(b) is inappropriate, as the Examiner is respectfully reminded that **the instant patent application claims priority from the filing date of the parent application, i.e., 12/12/97**. Hicks was filed on 07/31/97, and issued on 02/15/2000.

The Examiner is respectfully requested to rescind the Office Action mailed on 11/22/2004. Further, and in that the applicant has already filed a Terminal Disclaimer, the Examiner is respectfully requested to allow all of the claims 21-44 now pending in this continuation patent application.

However, should there be any remaining, unresolved issue that would impede the allowance of all of the pending claims, the Examiner is respectfully invited to contact the undersigned attorney at any one of the numbers appearing below.

Respectfully submitted,



Harry F. Smith

12/9/2004

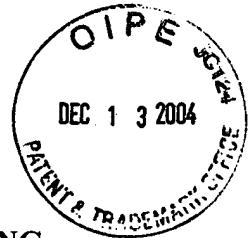
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

12/9/04
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